REMARKS/ARGUMENTS

Claims 12 and 14 have been objected to. Claims 1 to 17 and 20 were rejected under 35 U.S.C. § 102 (b) as being anticipated by Switall (US 4,064,801). Claims 18 and 19 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over Switall in view of Culbertson (US 6,098,902).

Claims 1, 2, 5, 12, 14 and 15 have been amended. Claim 2 has been canceled without prejudice.

Reconsideration of the application is respectfully requested.

Claim Objections

Claims 12 and 14 have been objected to. Claims 12 and 14 have been amended. Withdrawal of the objections is respectfully requested.

35 U.S.C. 102 Rejections

Claims 1 to 17 and 20 were rejected under 35 U.S.C. § 102 (b) as being anticipated by Switall (US 4,064,801).

Switall discloses a device in which pressurized air is provided to atomize and transport, i.e. blow, dampening fluid from nozzles 14 to a dampening roll. See Switall at col. 3, line 63 to col. 4, line 6.

The present invention is directed to a spray device and method for applying liquid in which the gas is mixed into the liquid to form a mixture in which gas is entrained in the liquid prior to spraying. See [0009] and [0028] and [0029] for example of the present specification.

Thus the present spray device has an internal passage with a mixing chamber (see [0029] for example) in which the air mixes with the gas to form the liquid with gas entrained therein.

Claim 1 has been amended to recite a mixing chamber. The mixing chamber may be, but need not be, an enlarged area as now recited in claim 2. Claim 16 now recites a mixing step.

Switall does not disclose a mixing chamber at all and uses the air to blow the liquid away and atomize the liquid. In fact, Switall teaches away from the entrainment of air bubbles. See Col. 2, lines 1 to 5 of Switall.

Withdrawal of the rejection to claims 1 to 17 and 20 is respectfully requested.

With further respect to claim 12, it is respectfully submitted that the gas in Switall is pressurized. Withdrawal of the rejection to claim 12 for this reason as well is respectfully requested.

35 U.S.C. 103 Rejections

Claims 18 and 19 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over Switall in view of Culbertson (US 6,098,902).

In view of the comments with respect to claim 16, wthdrawal of the rejection to claims 18 and 19 is respectfully requested.

Appl. No. 10/789,121

FRED TO Office Action of June 8, 2005

SEP 1 2 2005

CONCLUSION

The present application is respectfully submitted as being in condition for allowance and applicants respectfully request such action.

Respectfully submitted,

DAVIDSON, DAVIDSON & KAPPEL, LLC

y: Villiam C. Cal

Reg. No. 38,156

Davidson, Davidson & Kappel, LLC 485 Seventh Avenue New York, New York 10018 (212) 736-1940